

## **REMARKS**

The present Response is intended to be fully responsive to all points of objections and/or rejections raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Applicant asserts that the present invention is new, non-obvious and useful. Prompt reconsideration and allowance of the claims are respectfully requested.

### **Status of the Claims**

Claims 8 and 10-12 are pending in the application.

Claim 8 has been amended.

### **Remarks to Claim Rejections**

#### ***Claim Rejections - 35 USC §103***

In the Office Action, the Examiner rejected claims 8 and 10-12 under 35 U.S.C. §103(a), as being unpatentable over Lee (US 6,228,763B1) in view of Zhao (US 6,211,561B1) and Chiang et al. (US 5,817,572).

Applicants have voluntarily amended claim 8 to more particularly point out and distinctly claim the subject matter regarded as the invention. Applicants assert that the amendments are fully supported by the specification of record, as is clearly shown in FIG. 6, and add no new matter.

Amended independent claim 8 recites a wiring structure having conductors, inter alia, “disposed on said first dielectric layer, said conductors separated laterally from each other by portions of the first dielectric layer and portions of a second dielectric layer and by air gaps, each of the conductors having air gaps adjacent thereto separating the conductor from the first dielectric layer and the second dielectric layer”. Applicants respectfully submit that prior art references of record, in particular, Lee, Zhao, and/or Chiang et al., alone or in combination, do not teach, suggest, or even imply the above quoted distinctive elements of independent claim 8.

For example, in the Office Action, the Examiner alleges that Lee teaches a wiring structure having a plurality of conductors (312) disposed on a first dielectric layer (300) and separated laterally from each other by portions of a second dielectric layer (302, 306). However, Lee fails to disclose that the conductors (312) are separated by portions of the first dielectric layer (300), as specifically required by independent claim 8 of the present invention. On the other hand, the alleged second “dielectric layer 302”, which is next to the first dielectric layer (300), is an anti-reflection coating (ARC) layer and is clearly not a part or a portion of the first dielectric layer (300).

Applicants would like to further point out that neither prior art reference Zhao nor prior art reference Chiang et al. cures the above deficiency of Lee. In fact, none of the prior art references of record teaches, suggests, or implies the above distinctive features of independent claim 8.

In view of the above, Applicants respectfully submit that independent claim 8 of the present invention includes distinctive elements that are not taught, suggested, or even implied by prior art references of record, in particular by Lee, Zhao, and/or Chiang et al. alone or in combination, and therefore is patentable.

Claims 10-12 depend directly from independent claim 8, and thus include all the distinctive elements of claim 8 in addition to other distinguishing features. Therefore, claims 10-12 are patentable for at least the reasons as described above with regard to claim 8.

In view of above, Applicants respectfully request that rejections of claims 8 and 10-12 under 35 U.S.C. §103(a) be withdrawn.

### **Conclusion**

In view of the preceding remarks, Applicants respectfully submit that all pending claims are now in condition for allowance. Favorable reconsideration and allowance of the claims are respectfully requested.

No fees are believed to be due in connection with this paper. However, if there is any such fee due, please charge any such fee to the deposit account No. 09-0458.

Respectfully submitted,

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